

**IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

ANDRE WILLIAMS

PLAINTIFF

v.

NO. 2:11CV242-WAP-JMV

**TUNICA COUNTY ARENA &
EXPOSITION CENTER, INC.**

DEFENDANT

ORDER

Before the court is Diamond State Insurance Company's motion to sever (# 21), filed December 27, 2011. Specifically, Diamond seeks an order severing the Third-Party Plaintiff's Amended Third-Party Complaint for Declaratory Judgment from the underlying tort action. On December 23, 2011, the plaintiff filed a motion to remand this action to state court. And, on December 27, 2011, the court stayed this action pending a decision on the remand motion. Accordingly, the instant motion is denied without prejudice, and movant may reurge the motion in the event the motion to remand is denied.

SO ORDERED this 3rd day of January, 2012.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE